G R S App F IX 4]

Previous References

1942 - 43

(Municipal)

File No 97-42

Serial Nos 10, 11

Later References

GENERAL AND REVENUE SECRETARIAT

Serial Nos 2

Part B for June, 43

SUBJECT

D C, Mandya —

Furnishes a report of action taken by him on the resolution of the Srirangapatam Town Municipality to stop the Thor Cinema Shows at the local theatre for a period of ten days from 10/12/42

G O no L 12467 — 07 24/6/43

To the D C Mandya

Approves the action taken by him

24/6/43

3958
L

GRS III—3]

(1

ROUTINE NOTES

[To be used only for notes, requisitions, etc, not intended for permanent record]

Letter no H C 288/42 43 dated 2-1-43 from the D C Mandya brot furnishing a report of action taken by him on the resolution of the Seringapatam Town Municipal Council to stop the Cinema Shows at the local theatre, for a period of ten days from 10-12-42

1) The report of the D C Mandya brot is for perusal the connected records in the matter have not been furnished

✓ The Dy Comr Mandya brot may perhaps be requested to forward the connected records together with the resolution of the Seringapatam Town Municipal Council showing cause against the order of the D C in the matter under proviso to clause (2) of Section 144 of the C P Code, 1933

4/1/43

Dy Secy

WD 078—GPB—30,000—25-7-42

4) Asst 5-1-43

SECY LAW DEPT 2011 GOVT OF MYSORE

N B—Should routine notes be written on small slips the notes must be copied or slips pasted on this form

Resolution of the Seringapatam Town Mil Cl
to stop the Cinema Shows at the Local Theatre.
4192
L

1) Submitted with a draft letter to
the D C Mandya for issue

Kw
6/1/43
3/1/43 7/1

6) Issue
7/1/43

TYPING SECTION
7 JAN 1943
GEN

To

The D C Mandya for issue-

No L 695-2 d 15-1 43

Calls for the connected records

Sup L
4/1/43

Letter no J C 288/42-43 dated 6-2-43
from the Deputy Commissioner Mandya &
forwarding the connected records for
perusal and return

~~Returned herewith~~

7) The D C Mandya has requested
that this may be closed, as the matter is over

8) If the action of the D C has to be
confirmed under Section 194 of the T H Act, 1933
a Resolution of the Municipal Council Showing
cause against the orders of the D C is necessary,
but this has not been furnished.

9) For orders if this may be closed as requested
by the D C, or a resolution of the municipal called
for to confirm the orders of the D C under Section
194 of the T H Act 1933

22/1/43 10/1
23/1/43

10) The matter may perhaps be closed
as suggested by the D C Mandya

Law Sec 23/1/43

11) This cannot be closed. The procedure prescribed by S 194 has to be followed. Put up with papers accordingly.

12) What are the impressions reflected by the DC in his letter No. 2437?

Ans
23 2 43

Flag T

13) In his letter dated 6-2-43 the Deputy Comm Mandya has stated that the action of the Srirangapatam Town Municipal Council in having required the closure of the local cinema house on the ground that there was an epidemic at the place is ultra vires and such powers as vested in the first Magistrate

14) As the action of the Municipal Council is ultra-vires and it has been set-aside, the D C Mandya has requested that the matter be closed. The D C appears to think that, as the Municipal Council have dealt with a matter that was not within their purview and as he has already passed necessary orders, the matter need not be pursued

15) As the D C has, however taken action under Section 196(1) of

Resolution of the Serangapatam Town Mcl to stop the Cinema Shows at the local theatre 6348

4792

Continuation Sheet | ML File No / Current No 4792/L | of 43 | Page 2

the T M Act, 1933 thereafter his orders have to be confirmed by Govt under Section clause (2) of the said Section

16) A draft letter to the D C Mandya for Govt requesting him to obtain and submit a Resolution of the Serangapatam Town Municipal Council showing cause against this orders under proviso to Section to Section 194 as put up as directed

Lopto 11/3/43

17) Law Secretary may be consulted of the action taken by the D C Mandya in this case was correct with the Hon Law Minister

King 17/3/43

Law Secy

18) Case

Law

19) This may kindly be marked to the Asst Secy, Law

King 11/3/43

20) In pursuance of advice at point A

Supra

Asst Secy Law

11/3/43

Law 218/42

12th March 1943

21) Submitted for orders with a copy of the Mysore Code volume IX containing the T M Act of 1933

Law 15/3

22) I think the action taken by the D C is not irregular He has acted under Sec 194 (1) If there was no objection at the time there

"Serangapatam Municipality" under

Resolution of the Serowe Township M.L.B. to stop Business Premises and Local Theatre 4792/15

Continuation Sheet M/ File No / Current No of 42 Page

because when the Resolution of Management is allowed to stand could cause "injury" to the proprietor of the Cinema by the closure of the Cinema & amongst to be paid if there is to be suspended the Resolution & make a report to be sent to Minister of Lcc 194(2)

23) Here it cannot be seen that the act of the B.C.'s is irregular.

24) But before Govt can take further action, an explanation by the Management may be obtained in accordance with the Provisions of Lcc 194(2) of the Act

(Asst Secretary) 3/3/43

25) Mrs 24-3-43

(Asst Secretary LSG HE) 26) 24/3

27) For orders of the draft but this may issue now

28) Issued 31/3/43

31/3/43

TYPING SECTION - 3 APR 1943 GEN & PEN SECTT

Sox

The D C Mandeleo Dist

M/L 9976 d 8-4-43

Calls for the resolution of the Serowe Township Bd to be

6880/1 Resolution of the Serungapatam Town Mn Bd and orders of Govt the D C Mandya thereon under Section 196 of the T.M. Act, 1933

Continuation Sheet | Mn File No / Current No | of 62 - 11 | Page

Letter no Jl C 288/42-43 dated 10-5-43 from the Deputy-Comr Mandya with forwarding a copy of the Resolution passed by the Serungapatam Town Mn Bd in the matter

Hag R

2) The Resolution of the Serungapatam Town Municipal Council is submitted for perusal

3) As the Municipal Council have no objection to the action taken by the D C Mandya with in the matter, the same may be approved in accordance with the provisions of sec 196 of the Mysore Town Municipalities Act, 1933

4) Submitted with a draft letter to the Dy Comr, Mandya with Conveying approval of Govt to the action taken by him in the matter [The facts of the case are indicated in paras 1 & 3 supra]

Law Dept 14341 31/5/43 GOVT OF MYSORE

Law Dept 28-5-43

OFFICE OF THE MINISTER FOR L S G & P H Date 1 6 43 No 9954

Law Dept 3) Submitted

May be approved

Secy 1-6-43

Minister for L S G 5) Yes.

Secy 14-6-43

Law 15-6-43

For orders if the draft letter put up may issue now

TYPING SECTION 7 JUNE 1943 SEN & B

14/6/43 Jcm

Secy 14-6-43

No

WD 1140—GPB—50 000—5-11-43

New D C Mandya Dr -

No L 12467 dt 14/6/43 Approved the action taken by him

GOVERNMENT OF MYSORE

Telegram
phone

OFFICE OF
The Deputy Commissioner,
Mandya District,
Mandya,

No J1.C 288/42-43,
Encls one

Date 2nd January 1943

C Narayanaswamy Naidu, Esq , B A , B L ,

Secretary to Government, Law Department,

B A N G A L O R E

Sir

As required by Section 194(2) of the Town Municipalities Act of 1933, I have the honour to enclose herein for information of Government a copy of my order under Section 194 (1) of the said Act directing the suspension of the orders of the Town Municipal Council, Seringapatam that the cinema shows be stopped for a period of ten days from 10-12-42 and callin for the explanation of the Proprietor for defying the orders of the Council The reasons for making the order are set forth in the order itself

I have the honour to be,
Sir,
Your most obedient servant,

DEPUTY COMMISSIONER,
MANDYA DISTRICT

ALN

No.J1.C.288/42-43

Office of the Deputy Commissioner,
Mandya District,
Mandya, Dated the 2nd January 1943.

Read

1. Petition presented on behalf of Sri Jayalakshmi Talkies, Seringapatam praying that the cinema may be permitted to run normally in spite of the resolution of the Municipal Council to the effect that the Cinema be closed.

2. Report No.79/42-43 dated 14-12-1942 from the President, Seringapatam Town Municipal Council in the matter.

ORDER UNDER SECTION 194 (1) OF THE TOWN MUNICIPAL ACT OF 1933

The Town Municipalities Act does not confer powers on the Municipal Council to order the closure of cinemas If the situation was so grave as to warrant the closure of cinemas, the District Magistrate must have been addressed to take suitable action in the matter

1 The order issued by the Municipal Council directing the closure of the cinema and the subsequent proceedings calling for the explanation of the Proprietor for having the shows in defiance of the order of the Council and as such their execution is suspended under Section 194 (1) of the Town Municipalities Act of 1933 As there is reported to be no epidemic in the Town now, there appears to be no necessity to address the District Magistrate to stop the cinema. All proceedings taken against the Proprietor of the cinema in this connection may cease forthwith.

Copy

DEPUTY COMMISSIONER,
MANDYA DISTRICT

ALN

To the Presient, Seringapatam Town Municipal Council.

Appendix F G —1]

SUBJECT

(9

Diary No of letter replied to

General and Revenue Secretariat

( )

the *194*

Date of issue 15/1/43

Signed by Yours G R Rao

List of enclosures

Codied by

Examined by

Section Genl

File No 92-42

Serial No 11

No L 6952

To

The D C Mandapatnam

Sir,

With reference to Your letter no J1 C 288/42-43 d 2/1/43 furnishing a report of action taken by you on the resolution of the Srirangapatam Town MR-61 to stop the Cinema Shows at the local theatre, for a period of ten days from 10-12 I am directed to request you to be good as to forward the Council records together with the resolution of the Srirangapatam Town MR-61 Showing Cause

WD 14161—GPB—60 000—24 10 41

Issue in the matter
against - the officers of the Act under Section
19 h of the T V A Act, 1933

I have Elc
=
For Secy & Solr -
Law Offr -

GOVERNMENT OF MYSORE

4798/L (11

Telegram / phone

No J.C 288/42-43
Encls Nil

OFFICE OF
The Deputy Commissioner,
Mandya District,
Mandya,

Date 6th February 1943

SECTT. TO L. W DEPT. GOVT. OF MYSORE

To
Narayan Swamy Naidu, Esq , B.A , B L ,
Secretary to Government, Law Department,
B A N G A L O R E

Sir

With reference to your letter No L 6952 Ml 97-42-11 dated the ~~xixth~~ 15th January 1943 asking for the connected records, together with the resolution of the Seringapatam Town Municipality showing cause against ~~the~~ my orders in question, I have the honour to state that as the action taken by the Municipal Council regarding the closure of the cinema shows was ultra vires, the powers being vested only with the District Magistrates of the Districts, the order of the Municipal Council had to be set aside without further correspondence, in the matter As the matter is over now, I request that it may be filed. The file of correspondence on the subject is herewith enclosed for kind perusal and return

I have the honour to be,
Sir,
Your most obedient servant,
Illegible
DEPUTY COMMISSIONER,
MANDYA DISTRICT
(Absent from Head Qrs)

ALN

Appendix F G —1]

SUBJECT

(14

Section
File No 97 - 42
Serial No

Diary No of letter replied to

No L 9974

To

General and Revenue Secretariat

( )

the *194*

Date of issue 8/4

Signed by

The D C Handigol Esq

Sir,

With refce to the correspondence ending with your letter no JI C 288/42-43 dtd 6-2-43 re your orders under Section 194(1) of the Mysore Town Municipalities Act, 1933, directing the suspension of the resolution of the declarers of the Sringeri Town Municipal Council fixing pro rata that the Cinema Shows at the place be stopped for a period of ten days from 10-12-42 I am directed to state that since you have passed orders

List of enclosures

Copied by

Examined by

WD 04161—GIB—60 000—24 10 41

Jl.C.288/42-43

Office of the Deputy Commissioner,
Mandya District,
Dated, Mandya, the 10th May, 1943

From

Mir Safdar Hussain, Esq., B.A.,
Deputy Commissioner,
Mandya District, MANDYA.

To

C. Narayanaswamy Naidu, Esq , B.A., B.L ,
Secretary to Government,
Law Department, BANGALORE.

Sir,

With reference to your letter No.L.9974/M1. 97-42 dated the 8th April 1943, asking me to obtain a resolution of the Seringapatam Town Municipal Council, showing cause against my order under Sec.194(I) of the Mysore Town Municipalities Act, directing the suspension of the resolution of the said Council -- that the cinema shows at the place be stopped for a period of ten days, I have the honour to forward herewith a copy of the resolution dated the 25th April - 1943, wherein tehy have stated that they have no objection to the action taken.

I have the honour to be,
Sir,
Your most obedient servant,

Deputy Commissioner,
Mandya District.

JK

25-4-1943 శ్రీ లంకా కృష్ణారావు బదిలీ తరువాత కొత్త కౌన్సిలరు

(13)

Members absent 10 Members present 11

ఈ తీర్మానం ఎవరికి కౌన్సిల్ నివేదన

objection ఏమీ రాలేదు కనుక ఇచ్చిన

ఆ ప్రకారం రద్దు చేయడమైనది అని

శ్రీ లంకా కృష్ణారావు బదిలీ తరువాత ఖాళీ అయిన స్థానం కొరకు ఎన్నిక జరపడానికి తీర్మానం ఈ తరువాత ఏ సమావేశంలో కాని 10-12-42 - తేదీ ఆంశంలో చర్చకు తీసుకొనుటకు - అన్ని వివరాలు పరిశీలించి ఎన్నిక నిర్వహించుటకు కౌన్సిల్ నివేదన చేయడమైనది. ఎన్నిక నిర్వహణ తేదీ ఖరారు చేయడానికి ముందు ఎంతమంది ఓటర్లు ఉన్నారో వివరాలు తీసుకోవలసి ఉన్నది. ఎన్నిక నిర్వహణ తేదీ ఖరారు చేయడానికి ముందు ఎంతమంది ఓటర్లు ఉన్నారో వివరాలు తీసుకోవలసి ఉన్నది. 1941 వ సంవత్సరం ఓటర్ల జాబితా ప్రకారం ఎన్నిక నిర్వహించడానికి 1942 వ సంవత్సరం ఓటర్ల జాబితా తయారు చేయడానికి ఇంకా కొంత సమయం పట్టవచ్చును. ఎన్నిక నిర్వహణ తేదీ ఖరారు చేయడానికి ముందు ఎంతమంది ఓటర్లు ఉన్నారో వివరాలు తీసుకోవలసి ఉన్నది

Suspending the resolution of the Srikakulam Town Municipal Council under Section 194(1) of the T N Act, 1933, the same has to be confirmed by Govt- under clause (2) of the said Section and under the proviso thereto, the municipal council has to be given a reasonable opportunity of showing cause against the order before it is confirmed by Govt

I am to request you therefore to obtain a resolution of the said council showing cause against your order and submit the same to the Govt for orders of Govt under Section 194(2) of the T N Act, 1933

I have etc

Acs 3
24-

For Secy to Govt
Law dept

(10

Appendix F G —1]

SUBJECT

Diary No of letter replied to

General and Revenue Secretariat

( )

the *194*

Date of issue

Signed by

List of enclosures

Codied by

Examined by

Section

File No

Serial No

No

To

The D C Hardoi Sect

Sir,

With refce to the correspondence ending with your letter no JC c 288/42-43 dated 10-5-43 reporting the action taken by you under Section 144(1) of the M & M Act, 1933, for suspending the resolution of the Srirangapatna Town Municipal Council in connection with the stopping of the Cinema Shows at the place for a period of ten days from 10-12-42 I am directed

WD 4161—GPB—60 000—24 10 41

to convey the approval of Govt to the
action taken by you in the matter

I have &c-

For Secy to Govt-
Law Dept-

1-17